

FEIS. The FEIS is scheduled to be completed in October, 1997. The responsible official will consider the comments, responses, environmental consequences discussed in the FEIS, and applicable laws, regulations, and policies in making a decision regarding this amendment to the Forest Plan. The responsible official will document the decision and reasons for the decision in the Record of Decision. That decision will be subject to appeal in accordance with 36 CFR 217.

Dated: December 16, 1996.

Benjamin T. Worthington,  
Forest Supervisor.

[FR Doc. 96-32324 Filed 12-19-96; 8:45 am]

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**Yellowstone Pipeline Missoula to Thompson Falls Reroute, Lolo National Forest; Mineral, Missoula, and Sanders Counties, MT**

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice; intent to prepare environmental impact statement.

**SUMMARY:** The Forest Service will prepare an environmental impact statement (EIS) for a proposal by the Yellowstone Pipeline Company to build a new section of 10-inch or 12-inch petroleum products pipeline between Missoula and Thompson Falls, Montana.

**DATES:** Initial comments concerning the scope of the analysis should be received in writing no later than January 31, 1997.

**ADDRESSES:** Send written comments to Charles C. Wildes, Forest Supervisor, Lolo National Forest, Building 24, Fort Missoula, Missoula, MT 59804.

**FOR FURTHER INFORMATION CONTACT:** Terry Egenhoff, Environmental Coordinator, Lolo National Forest, as above, or phone: (406) 329-3833.

**SUPPLEMENTARY INFORMATION:** The Yellowstone Pipe Line Company (YPL) proposes to build a new pipeline section between Missoula and Thompson Falls, Montana. The new pipe would be 10-inch or 12-inch nominal diameter. YPL has submitted an application for a special-use permit for the proposed pipeline to the Forest Service. YPL's application proposes for study a primary corridor and two alternative corridors. The primary corridor is about 75 miles long, following the Clark Fork Valley bottom to Alberton, Montana, then along the Ninemile Divide ridges and crossing the upper Ninemile Valley to Siegel Mountain, then along the Clark Fork Valley bottom to Plains, Montana. The first alternative corridor runs along

the Clark Fork Valley bottom past St. Regis, Montana, then along ridges north to Plains for about 90 miles. The second alternative corridor is about 65 miles long, and is the same as the primary corridor except that it follows the Ninemile Valley bottom instead of the Ninemile Divide ridge. The proposed corridors could require the use of 18 to 35 miles of National Forest System lands. The Forest Service is the only Federal agency which manages lands within the proposed corridors.

The purpose of this proposal is to reconnect an existing pipeline which now has a section out of service. The Yellowstone Pipeline is a common carrier delivering petroleum products from refineries in Billings, Montana, to points west including Spokane, Washington. The pipeline terminates in Moses Lake, Washington. The proposed new section would replace an existing section through the Flathead Indian Reservation. That section has been decommissioned following expiration of an easement grant from the Bureau of Indian Affairs across trust lands situated on the Flathead Indian Reservation. Petroleum products are now transported west of Missoula by a variety of methods including railroad, highway, and pipeline systems. The proposed reroute would replace those current transportation methods with a fully functional pipeline, which may have economic, environmental, and safety advantages over the current transportation methods.

The decision to be made by the Forest Service is whether, and if so, under what terms and conditions, to authorize the use of National Forest System lands for constructing, operating, and maintaining a hazardous liquids pipeline section between Missoula and Thompson Falls. The Forest Service authority for this type of permit is Section 28 of the Mineral Leasing Act.

The responsible official who will make decisions regarding National Forest System lands based on this EIS is Charles C. Wildes, Forest Supervisor, Lolo National Forest, Building 24, Fort Missoula, Missoula, MT 59804. He will decide on this proposal after considering comments and responses, environmental consequences discussed in the Final EIS, and applicable laws, regulations, and policies. The decision and reasons for the decision will be documented in a Record of Decision.

The Forest Service is the lead Federal agency for preparing this EIS. Several other agencies may have permitting or licensing authority and may make separate decisions based on this EIS. The Forest Service will cooperate with State and local agencies to prepare a

single EIS to meet as best as possible all agencies' permitting and consultation needs. The Forest Service is developing a memorandum of understanding to that effect with several agencies. The Montana Department of Environmental Quality will be the lead State agency.

Other agencies which may have permit or license issuing authority over the proposed pipeline include:

**Federal Agencies:** Bureau of Land Management, Army Corps of Engineers, Federal Highway Administration, Federal Communications Commission;  
**State Agencies:** Montana Department of Environmental Quality, Montana Department of Natural Resources;  
**Local Agencies:** Missoula County Commission, Sanders County Commission, Mineral County Commission, Missoula Soil Conservation District, Eastern Sanders County Conservation District, Mineral County Conservation District.

Agencies or governments which may have consultation responsibilities or special expertise in this matter include the U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, UDOT Research and Special Programs Administration Office of Pipeline Safety, Confederated Salish and Kootenai Tribes of the Flathead Nation, Montana Department of Transportation, Montana Department of Fish Wildlife and Parks, Montana State Historic Preservation Office, Missoula County Weed Control Board, Sanders County Weed Control Board, Mineral County Weed Control Board, Missoula City/County Office of Planning and Grants, and Missoula City/County Health Department.

Preliminary issues and alternatives have not yet been compiled. Issue identification and alternative development will be phases of the public scoping process.

Before public scoping begins, the Forest Service intends to select a third-party contractor to conduct scoping, analyze environmental effects, and prepare the EIS. The contractor will perform to Forest Service specifications, with funding from YPL. A schedule for public meetings or hearings will be developed later.

Public scoping and public participation will involve at least four phases: (1) Initial proposal review and comment, (2) preliminary issue identification and alternative development review and comment, (3) draft EIS review and comment, and (4) final EIS and Record of Decision review and appeal period. During the scoping process, the Forest Service is seeking

information and comments from Federal, State, and local agencies and other individuals or organizations who may be interested in or affected by the proposed action. A scoping document will be prepared and mailed to parties known to be interested in the proposed action. The agency invites written comments and suggestions on this action, particularly in terms of issues and alternatives. The Forest Service will continue to involve the public and will inform interested and affected parties as to how they may participate and contribute to the final decision.

The draft EIS should be available for review in May, 1998. The final EIS is scheduled for completion in September, 1998.

The comment period on the draft EIS will be 45 days from the date the Environmental Protection Agency publishes the notice of availability in the Federal Register.

The Forest Service believes it is important, at this early stage, to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft environmental impact statement stage but are not raised until after completion of the final environmental impact statement may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important those interested in this proposed action participate by the close of the 45-day comment period so substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft environmental impact statement should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft environmental impact statement or the merits of the alternatives formulated and discussed in the statement. Reviewers may wish to

refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

Dated: December 3, 1996.

Charles C. Wildes,

Forest Supervisor, Lolo National Forest.

[FR Doc. 96-32293 Filed 12-19-96; 8:45 am]

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### **Dome Peak Timber Sale Analysis, White River National Forest; Routt County, CO**

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of intent to prepare an Environmental Impact Statement (EIS).

**SUMMARY:** The U.S. Department of Agriculture, Forest Service will prepare an Environmental Impact Statement to disclose effects of alternative decisions it may make to harvest dead Engelmann spruce and associated road construction within the Dome Peak Timber Sale planning area, on the Eagle Ranger District of the White River National Forest.

**DATES:** Written comments concerning the scope of the analysis should be received on or before March 1, 1997.

**ADDRESSES:** Send written comments to Veto J. LaSalle, Forest Supervisor, White River National Forest, P.O. Box 948, 9th and Grand Ave., Glenwood Springs, Colorado 81602. Mr. LaSalle is the Responsible Official for this EIS.

**FOR FURTHER INFORMATION CONTACT:** David Van Norman, Project Coordinator, Holy Cross Ranger District, 24747 U.S. Highway 24, P.O. Box 190, Minturn, CO 81645, (970) 827-5715.

**SUPPLEMENTARY INFORMATION:** On October 28, 1996 the White River National Forest released a Draft Environmental Assessment for the proposed action and alternatives to that proposed action under Public Law 104-19. Based on comments received from members of the public, the Interdisciplinary Team has determined that the proposed action and alternatives to that action represent a roadless area entry. Therefore, an Environmental Impact Statement is required as per Forest Service Handbook 1909.15, Section 20.6. The proposed action proposes to harvest approximately 2.5 million board feet from approximately 650 acres of dead Engelmann spruce using a combination of ground-based and helicopter yarding and to construct approximately 1.1 miles of new specified road.

The proposed action is consistent with governing programmatic

management direction contained in the *Rocky Mountain Regional Guide* and FEIS for Standards and Guidelines (1983) and in the Final EIS and *Land and Resource Management Plan for the White River National Forest* (LMP, 1984). The LMP allocated the proposed timber sale area to semi-primitive non-motorized use and allows for timber harvest. The site-specific environmental analysis provided by the EIS will assist the Responsible Official in determining which improvements are needed to meet the following objectives: Reduce natural fuel loadings and to provide wood products for the nation and opportunities for timber related jobs. Alternatives will be carefully examined for their potential impacts on the physical, biological, and social environments so that tradeoffs are apparent to the decisionmaker.

*Public participation* will be fully incorporated into preparation of the EIS. The first step is the scoping process, during which the Forest Service will be seeking information, comments, and assistance from Federal, State, and local agencies, and other individuals or groups who may be interested or affected by the proposed action. This information will be used in preparing the EIS. No public meetings are planned for this project. Public comments received during initial scoping and those raised during public review of the Draft Environmental Assessment for this project will be incorporated into this EIS. Individuals who have provided comments during initial scoping, on the Draft Environmental Assessment, and those who provide comments on this EIS will receive copies of the Draft EIS for their review.

*Preliminary issues* include the potential effects of proposed actions on the following elements of the biological, physical and social environments: Wildlife habitat, and overall biological diversity; wetlands and riparian areas; scenic quality; air quality; roadless area resource values; recreation resource values, range resource values, and social and economic values. The direct, indirect, cumulative, short-term, and long-term aspects of impacts on national forest lands and resources, and those of connected or related effects off-site, will be fully disclosed.

*Preliminary alternatives* include the proposed action (described above) and No Action, which in this case is deferring treatment of the area until the future. A third preliminary alternative will be analyzed which would harvest approximately 0.4 million board feet of dead Engelmann spruce from approximately 100 acres using ground-based yarding and to construct